

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
November 15, 2012

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**WORK SESSION**

***Present:** Vice Chairman Michael Wagstaff, Commissioners Brett Anderson, Rick Draper, Kris Kaufman and Brigham Mellor, and Bob Murri, Alternate Commissioners Brad Dutson and Mack McDonald, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Chairman Michael Nilson was excused.*

**Christy Alexander** informed the Commission that at the request of the applicant Items #6 and #7 were removed from the Agenda, and there was discussion regarding Items #3, #4, #5, and #8.

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**REGULAR SESSION**

***Present:** Vice Chairman Michael Wagstaff, Commissioners Brett Anderson, Rick Draper, Kris Kaufman, Brigham Mellor, and Bob Murri, Alternate Commissioners Brad Dutson and Mack McDonald, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Chairman Michael Nilson was excused.*

**#1 – Minutes**

***Motion:***

**Mack McDonald** made a motion to approve the Minutes of the November 1, 2012 Planning Commission meeting with the changes made by City staff during the work session. **Brigham Mellor** seconded the motion which was approved by Commissioners **Anderson, Draper, Kaufman, Mellor, Murri, and Wagstaff** and Alternate Commissioners **Dutson and McDonald**.

**SUBDIVISION & PUD APPLICATIONS**

**#3 – Tory McDonald – (Public Hearing) – Applicant is requesting approval of a two-lot subdivision by metes and bounds (lot split) and a special exception to allow an accessory building to straddle a lot line on .5128 acres of property located at 386 North 100 East in an OTR zone. (S-15-12)**

**Christy Alexander** said both lots meet the minimum lot size requirement—the proposed area of the west lot with the historic home is 12,163 square feet, and the east lot is 10,156 square feet. Although the easterly lot does not meet the minimum width requirement of 85 feet, the property may be subdivided if the standards in Section 11-17-040(4) are met.

***Public Hearing opened at 7:10 p.m.***

**Lloyd Pies**, 140 East 400 North, said his home is east of the subject property. He called the small granary an eyesore and would like to see it demolished.

**David Petersen** reported that the applicant was unable to attend the meeting but would like to save the granary. He pointed out that each lot must be at least 10,000 square feet; if either lot was smaller, the owner would be required to obtain a variance from the Board of Adjustment. There was discussion regarding the lot-line adjustment, the condition of the building sidewalk requirements, and the importance of preserving the historic structure if possible.

***Motion:***

**Kris Kaufman** made a motion to approve the two-lot subdivision by metes and bounds (lot split) subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The applicant must comply with all requirements set forth in Section 11-17-040(4) of the Zoning Ordinance for lots less than 85 feet but greater than 70 feet in width.
2. The Commission hereby grants a special exception allowing the existing granary/silo structure to straddle the lot line, subject to the owner establishing an easement to keep and maintain to accessory, which easement must be in favor of one of the new lots. In the event the property owner chooses not to implement the special exception, he may submit a proposal for a jog in the lot line which would leave the structure on one lot or the other – and if necessary, apply for a variance if one of the lots is smaller than 10,000 square feet in area.
3. The applicant must enter into an extension agreement with the City to provide a sidewalk in the future running the full length of 400 North Street frontage for both lots.

**Rick Draper** seconded the motion which was approved by Commissioners **Anderson, Draper, Kaufman, Mellor, Murri, and Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**.

***Findings for Approval:***

1. Approximately half of the parcels in the OTR zone are less than 85 feet in width, and many of them predate zoning in Farmington. The OTR zone was intended to be flexible to accommodate requests such as this in the older part of town.
2. The special exception helps preserve an historic building in keeping with the purposes of the City's General Plan and the OTR zone. It will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; it will not create unreasonable traffic hazards; it is located on a lot or parcel of sufficient size to

accommodate the special exception in that both lots in the subdivision meet minimum area standards as set forth in the OTR zone.

3. Street and other related improvements are required by ordinance for any subdivision in the City. The north side of 400 North is improved except for sidewalk. Although a sidewalk at this location will tie into the sidewalk at 100 East, there is no sidewalk east of the property, and in this area it makes sense not to construct a sidewalk until the entire block face is ready for this improvement.

**#4 – Henry Walker Homes – (Public Hearing) – Applicant is requesting a recommendation of Schematic Plan and PUD Master Plan approval for Nichols Nook PUD, a 9-lot subdivision on approximately 1 acre of property located at approximately 50 South 100 West in an R-4 zone. (S-14-12)**

**David Petersen** explained that Schematic, Preliminary, and Final (PUD) Master Plan and plat approvals for the Nichols Nook PUD were granted in 2007-2008, due to the economy but the developer was unable to follow through with the project. A main issue at the time was whether to designate the road as public or private; the develop agreement states that it will be a public road, and because this is a PUD, reasonable conditions can be applied. The new developer is requesting an amendment to the Master Plan for nine detached single-family homes which meets the density requirements. Staff is concerned about the proposed 28-foot road width, and the Fire Department would like a larger turning radius. **Michael Wagstaff** and **Rick Draper** recused themselves from discussion/voting on this item, and **Brett Anderson** acted as Chair.

Applicant **Phil Holland**, 1127 North Stillwater Drive, said they currently have two projects in Farmington—Tuscany Village and the Grove. They prefer a private road which will be maintained by the HOA, and the units will be owner occupied. They plan to use a wide variety of materials to build these homes, the driveways are 18 feet in length, and each unit has a two-car garage. Although the turning radius on the hammer-head turn-around was approved at one time, the Fire Department wants a larger radius. The Developer is willing to talk to the Fire Chief and work toward a compromise. They prefer a private road which will be maintained by the HOA, and the units will be owner occupied.

***Public Hearing opened at 7:45 p.m.***

**Henry Werner**, 127 West State, said he is concerned about the height of these homes which may block the sunlight from his fruit trees and garden. He asked if the developer plans to install a fence, and he is concerned about excess ground water and said that during wet seasons, his sump pumps runs full time to avoid flooding.

**Brad Bornemeier**, 54 South Main, is worried about additional traffic in the area. There is an apartment complex next to the property. During City and/or sporting events, parking on the streets is heavy. He prefers detached buildings, but there are too many for this historical area.

**Dave Parkin**, 68 South 100 West, owns the 12-unit apartment complex next to the site. He is concerned about the traffic, the shift in the boundary line, and privacy for his tenants. There is no public parking available for his tenants.

**Sheridan Prince**, 86 South 100 West, said his home was built in 1912. **Max Forbush** owns an even older home across the street, and their homes showcase the historical character of the area. He is very concerned about parking and although the curb was painted red it does not deter drivers, and they often park directly in front of his driveway. This PUD will add to an existing problem. He asked if the developer could eliminate one of the units.

**Blair Ford**, 51 West State, is a part-time real estate agent and said this type of home does not fit in this area. He asked what the selling price of each home would be.

***Public hearing closed at 8:05 p.m.***

**Phil Holland** said each unit will have a full basement, the prices will be in the low \$200,000 range, the top pitch is 23-25 feet, and he will research fencing options. The Commission discussed the issues raised by residents, and **Mack McDonald** said he likes the detached units but would like to see design changes that would fit in with the historic nature of the neighborhood.

***Motion:***

**Brigham Mellor** made a motion to recommend approval of the Schematic Plan for the Nichol's Nook PUD subject to the same conditions and findings previously approved by the City and two additional conditions:

1. The applicant will work with the Fire Chief to determine the size of the turn around.
2. The applicant will work with the Public Works Department to decide whether or not the road will be public or private.

**Bob Murri** seconded the motion which was approved by Commissioners **Anderson**, **Kaufman**, **Mellor**, and **Murri**, and Alternate Commissioners **Dutson** and **McDonald**.

***Motion:***

**Mack McDonald** made a motion to table action on the Preliminary (PUD) Master Plan to allow time for additional research regarding the issues. **Brigham Mellor** seconded the motion which was approved by Commissioners **Anderson**, **Draper**, **Kaufman**, **Mellor**, **Murri**, and **Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**.

***Brad Dutson left the meeting at 8:25 p.m.***

**#5 – Brad Pack – Applicant is requesting a recommendation to amend the Farmington Bay Business Park Plat A Amendment #1 Subdivision Plat on approximately 8.2 acres of property located at approximately 1250 South 650 West in an LM&B zone. (S-13-12)**

**Christy Alexander** said the applicant would like to subdivide Parcel C into two lots and create Lot 5 from Parcel B.

Applicant **Brad Pack**, 580 East 400 North, Bountiful, said this is the next step in moving forward with this development.

***Motion:***

**Rick Draper** made a motion to recommend that the City Council amend the Farmington Bay Business Park Plat A Amendment #1 and create Lot 5 from Parcel B as shown on the plat with the following condition:

1. The applicant will continue to work with the City regarding any minor revisions that need to be made to the amended plat.

**Mack McDonald** seconded the motion which was approved by Commissioners **Anderson, Draper, Kaufman, Mellor, Murri**, and **Wagstaff** and Alternate Commissioners **Dutson** and **McDonald**.

***Findings for Approval:***

1. By subdividing Parcel C and creating two lots, the property owner will be able to sell off a lot or begin work on his next project more quickly.
2. Creating Lot 5 from Parcel B will clean up the plat and allow the lot to be sold or developed.

***Agenda Items #6 and #7 were removed from the agenda at the request of the applicant.***

**CONDITIONAL USE APPLICATIONS**

**#8 – Brad Pack – Applicant is requesting a Conditional Use to allow the sod fields of Pack Farms LLC to be used for athletic use, primarily soccer, in between the planting and harvesting of the sod fields (approximately 6 acres) located at approximately 1268 South 650 West in the LM&B zone. (C-12-12)**

**Christy Alexander** said this request was discussed at the previous meeting, and it was tabled to allow time for a meeting with City staff, the applicant and residents in the area. Issues such as circulation, traffic speeds, and parking in undesignated areas were discussed at the meeting.

**Christopher Romer**, South Davis Soccer Association, said temporary signs will be posted during the soccer season, and he encouraged police officers to issue tickets for

violations. Their soccer club is one of the largest non-profit agencies in the state, and they are pursuing the possibility of leasing building space in this same area for a training facility. They are not in favor of having a time limit associated with the conditional use.

***Brett Anderson** recused himself from discussion and voting on this item and left the meeting at 8:50 p.m.*

***Motion:***

**Bob Murri** made a motion to approve this conditional use subject to all applicable codes, development standards and ordinances, and the following conditions:

1. The use granted is solely for the purpose of athletic fields on the site which it is located, and no other recreational or residential activities of any kind shall be associated with this use permit.
2. Outdoor lighting, if use, must be subdued. All lighting shall be designed, located, and directed to minimize glare, reflection and light pollution into adjoining and nearby residential lots.
3. A reflector sign will be placed on the gate at the end of 325 West to inform people that parking is prohibited.
4. “No parking permitted except for residents and their guests” and “speed limit” signs will be appropriately placed.
5. A gate will be installed by the applicant at the end of Doberman Lane.
6. The stop sign on 650 West/Glovers Lane will be placed closer to the corner.
7. Local police officers will be asked to police the area during soccer games.
8. The soccer club will increase communication between coaches, parents, and players to provide detailed information regarding parking.
9. The soccer club will provide and place temporary directional signs during soccer events.
10. During peak times for soccer games, the applicant and/or the soccer club shall provide cones and signs to prohibit parking in unapproved areas.
11. This conditional use shall be reviewed by staff in one year to determine if the conditions are being met and to make any adjustments to the requirements, if necessary.

The motion was seconded by **Rick Draper** and approved by Commissioners **Draper, Kaufman, Mellor, Murri,** and **Wagstaff** and Alternate Commissioner and **McDonald**.

***Findings for Approval:***

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well being of the community. There are very few places within the City that provide athletic fields large enough for tournaments, and this is an appropriate zone and site location for such a use;

2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use as it is located on the outskirts of town in the LM&B zone;
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan;
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing development as it will be maintained regularly, and there are not many residents living near the site;
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation;
6. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity and does not cause:
  - a. Unreasonable risks to the safety of persons or property because of vehicular traffic or parking;
  - b. Unreasonable interference with the lawful use of surrounding property; and
  - c. A need for essential municipal services which cannot be reasonably met.

## **OTHER BUSINESS**

### **#9 – Miscellaneous, correspondence, etc.**

- a. **Farmington City – Applicant is requesting a discussion or proposed changes to the Zoning Ordinance related to demolitions (ZT-6-10)**

**David Petersen** reported that in the last 15 years, the City issued approximately 79 demolition permits of which 25 were for single family homes. Farmington is more concerned with losing historic buildings than with preserving housing stock. Staff met with the Historic Preservation Commission to discuss demolitions as they apply to the two types of historic designations: (1) the Historic Sites List; and (2) the Historic Landmark Register. Proposed changes to the Ordinance include:

- Chapter 28, Section 11-28-230 Additional Requirements for Demolitions
- Chapter 29, Section 11-39-107 Deterioration by Neglect
- Chapter 29, Section 11-39-108 Practical Difficulty

There was discussion regarding the details of the proposed changes—including economic hardship, the involvement and/or authority of the Historic Preservation Commission, and a plan for the vacancy once a structure is demolished. The Commission directed staff to include greater detail and more clear direction regarding each of the issues.

## **ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.

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**Michael Wagstaff, Vice Chairman**  
**Farmington City Planning Commission**